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NO. 1747 P. 1

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TRANSMITTAL  
FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/808,889
Filing Date	March 25, 2004
First Named Inventor	François CLERC et al.
Art Unit	1626
Examiner Name	LEE, Susannah E.

6

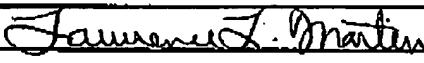
Attorney Docket Number

ST01027 US CNT

ENCLOSURES (Check all that apply)

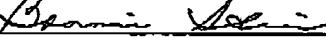
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> Response to Restriction Requirement under 35 U.S.C. 121, Reconsideration of Restriction and Provisional Election of Invention under 37 C.F.R. 1.143 - 5 pgs.
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Remarks
<input type="checkbox"/> Extension of Time Request		
<input type="checkbox"/> Express Abandonment Request		
<input type="checkbox"/> Information Disclosure Statement		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	AVENTIS PHARMACEUTICALS INC.		
Signature			
Printed name	Lawrence L. Martin		
Date	January 27, 2005	Reg. No.	46,902

CERTIFICATE OF TRANSMISSION/MAILING

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Signature	
Typed or printed name	Bonnie Stein
Date	January 27, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NO. 1747 P. 2

JAN 27 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
**F. Clerc et al.**

Application No.: **10/808,889**

Filed: **3/25/2004**

Title: **Substituted Benzimidazole Compounds  
and Their Use For the Treatment of  
Cancer**

Examiner: **Susannah E. Lee**

Art Unit: **1626**

**TELEFAX CERTIFICATE**

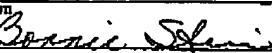
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January 27, 2005

Date of Transmission

Bonnie Stein

Signature



Response to Restriction Requirement under 35 U.S.C. § 121,  
Reconsideration of Restriction and Provisional Election of  
Invention under 37 C.F.R. 1.143

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action, dated December 30, 2004, having a response  
due by January 30, 2005, in the above-identified patent application. It is respectfully  
requested that the following provisional election and remarks be entered in this case.

**PROVISIONAL ELECTION OF INVENTION UNDER 37 C.F.R. 1.143:**

Applicants provisionally elect with traverse the invention of Group I, claims 1-17  
drawn to products of formula (1) wherein R<sub>1</sub> is a cyclopentyl group as set forth in claim 7,  
page 146, line 24, A is an aminophenyl group, and R<sub>2</sub> is a carbamate. A compound falling  
within the scope of the elected specie is methyl 5-(4-cyclopentylaminophenylsulfonyloxy)-  
benzimidazole-2-carbamate, the preparation of which is disclosed as Example 19, page 52, of  
the specification and the compound is specifically claimed in claim 7.